

Exhibit 1

In the Matter Of:

ELVIS RAMÓN GREEN BERRÍOS

v

SIG SAUER, Inc.

DEPOSITION - VOLUME 1

NOVEMBER 2, 2022

1 Q. What does Three Kings Day signify or what
2 are you celebrating?

3 A. It's giving gifts to the children. It's
4 delivering gifts to children or adult people.

5 Q. Do you recall what day of the week
6 January 6, 2021 was?

7 A. No.

8 Q. Do you recall whether it was a weekday or
9 weekend?

10 A. No. I don't remember.

11 Q. Do you recall approximately what time
12 your accident occurred?

13 A. Like at 9:00 at night, approximately.

14 Q. Did you work that day?

15 A. No.

16 Q. What did you do that day?

17 A. Well, I was at my house practically
18 during the entire day. In the afternoon, there
19 was a family activity and I attended that
20 activity at around 4:30 when my brother came to
21 pick me up.

22 Q. When you say "activity," what do you
23 mean? Was it like a barbecue, a party, or
24 something else?

25 A. Yes. Food, get together.

1 Q. Approximately, how many people were at
2 this get together?

3 A. Ten to twelve people.

4 Q. And you went to this get together around
5 4:30 in the afternoon?

6 A. Yes.

7 Q. And how long were you there?

8 A. Like until 8:30, 8:45 in the evening. I
9 had to work the following day.

10 Q. How far away was this get together from
11 your house, approximately?

12 A. Like 30 to 35 minutes.

13 Q. And what did you do while you were at the
14 get together, eat, drink, converse?

15 A. Yes.

16 Q. Did you drink any alcohol?

17 A. Yes. Several beers. Beer.

18 Q. How many beers approximately?

19 A. I don't remember the amount.

20 Q. More than five?

21 A. I don't think I drank too much because I
22 had to wake up early in the morning. The party
23 got extended even more and I left.

24 Q. And your brother drove you home?

25 A. Yes.

1 He was already sleeping. He's elderly, so he
2 goes to sleep early.

3 Q. So you walk from your door down to the
4 gate to close the gate. Were you able to do
5 that before the accident happened?

6 A. Yes. I closed the gate. Yes.

7 Q. And then you were walking back towards
8 your house?

9 A. Yes.

10 Q. As you were walking from your house to
11 the gate, did you remove the pistol from the
12 holster at any time?

13 A. No.

14 Q. When you were at your gate and walking
15 back towards your house, did you remove the
16 pistol from the holster at any time?

17 A. The gun from the holster, no.

18 Q. So as you're walking from your house down
19 to your gate and back again, the pistol is
20 inside the holster inside the waistband of your
21 shorts, correct?

22 A. Yes. In my waistband, yes. In the
23 shorts.

24 Q. And the shirt you were wearing, was it
25 tucked in or was it out and over the pistol?

1 A. That I remember, it was out. I don't
2 usually tuck it in.

3 Q. So tell me how the accident occurred.

4 A. So, how I explained it to you. I go up
5 from closing the gate with the dog. I'm about
6 to go in and when I'm about to go over the step
7 of the door, the balcony, I'm going to take out
8 the gun, the pistol with the holster to go in,
9 and it fired and impacted my thigh, my right
10 thigh.

11 MR. GIBSON: Do you mark these?

12 COURT REPORTER: Yes.

13 MR. GIBSON: This is going to be
14 Exhibit 1.

15 COURT REPORTER: I'm going to keep
16 these.

17 MR. GIBSON: Yes. Well, we'll give
18 them to him and then he'll give them back
19 to you.

20 MR. RANGEL: The entire block will be
21 Exhibit 1. These will go A, B, C, D,
22 whatever, just to be able to identify
23 each --

24 MR. GIBSON: Oh, but they're already
25 labeled.

In the Matter Of:

ELVIS RAMÓN GREEN BERRÍOS

v

SIG SAUER, Inc.

DEPOSITION - VOLUME II

NOVEMBER 3, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ELVIS RAMÓN GREEN BERRÍOS, *
*
Plaintiff, * Civil Action No.:
* 3:22-CV-01002-JAG
v. *
*
SIG SAUER, INC., *
*
Defendant. * VOLUME II

The continuation of the deposition of:

ELVIS RAMÓN GREEN BERRÍOS,

taken on Thursday, November 3, 2022, at the offices of

Marichal, Hernández, Santiago & Juarbe, located at

1510 F.D. Roosevelt Avenue, Suite 981, San Juan, Puerto

Rico 00968, starting at 10:20 a.m.

1 A. Yes.

2 Q. Is there a date on that document?

3 A. Yes.

4 Q. What's the date?

5 A. March 14, 2022.

6 Q. So that's over a year after your

7 accident, correct?

8 A. Yes.

9 Q. And was that the first time you received
10 the pistol back after the accident?

11 A. Yes.

12 Q. So yesterday when you said you thought it
13 was six months, it was actually over a year
14 before you received your pistol back, correct?

15 A. Yes. That is correct.

16 Maybe I confused -- I got confused about the
17 date by a little bit, but more than six months
18 is what I said yesterday.

19 Q. And that document doesn't mention
20 anything about a holster, correct?

21 A. Correct.

22 Q. And is it your testimony that when your
23 gun was returned in March of 2022 that is when
24 you handed over the holster that you were using
25 at the time of the accident to the Police

1 Department?

2 A. That same day. At this same date. That
3 is the exact date. Yesterday I didn't remember
4 it due to lots of confusion because of the
5 papers, but this is the date.

6 Q. And did you receive any receipt related
7 to the holster when you turned that in?

8 A. No.

9 Q. And you haven't seen the holster since
10 March 14, 2022. Is that correct?

11 A. Yes.

12 Q. Now, when you first saw the holster after
13 the accident, did it have blood on it?

14 A. Yes. Yes.

15 Q. Where was the blood?

16 A. Outside. It didn't have
17 blood -- outside. I didn't notice whether there
18 was some inside, but outside I could see it.

19 Q. And did you clean it?

20 A. No.

21 Q. So when you turned the holster into the
22 Police Department it still had dried blood on
23 it?

24 A. Yes.

25 Q. You can hand that document to her.